

Remarks

Applicant has reviewed and considered the Office Action dated August 30, 2001, claims 1, 23- 25, 27-29, 32, 40, 44 and 45 amended, a new claim 46, which is separated from the claim 28, added. Reconsideration of the present application is respectfully requested.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Brankovic. Claims 25 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Gardner. Claims 27, 44, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Nichtnennung.

Claim 1 in present invention is directed to a self watering tray for a regular plant. pot, the tray apparatus includes a plate, support(s) and a wick, the plate includes side wall(s) and a bottom wall. A regular plant pot in claim 1 can be a part ---combination, or not a part---a subcombination, the present invention is the tray, not the plant pot, for example, inventor can sell a new tray only for a regular plant pot which already on the market or people in use; also, inventor can manufacture/sell a new tray with a regular plant pot (for matching the collar and style each other), the purpose of discription with a pot in claim 1 is to ease understand how the self-watering tray works, and how the self-watering tray is different with the references. The support in present invention produce a enough space between the tray bottom and a pot bottom for reserving fluid and for air flowing in and out of the tray. In Brankovic's invention, the apparatus includes a plate, numerical 7 and 8, for holding a molded body, or say a water tank; a molded body, numerical 1, holding water; apertures, numerical 6, on lower end of molded body to let air get into and water get out of the water tank; spacers, numerical 9, let water get into wick area, the

function of the molded body is the same with a HUMIDIFIER tank; and a wick, numerical 12, sucking water to a pot. The differences in the two inventions are: 1, Brankovic claim and disclose a molded body for reserving water, but no such molded body appeared in present invention; 2, Brankovic does not claim or disclose the spacers 9 produce a space for air flowing in and out of the tray and for reserving water; In present invention, the supports produce a enough space for reserving water in the tray and for air flowing in and out of the tray. Obviously, the present invention is different with Brankovic's invention.

Claim 25 in present invention is directed to a self watering tray for a regular pot, the tray apparatus includes side walls, a bottom wall, and a wick, the sharp of the tray is different with a pot, parts of side walls support a pot. Due to the different sharp of the tray compare with a pot, some open spaces appeared on the tray when a pot sits on the tray, it makes possible to add water to the tray and let air flowing in and out of the tray through the open spaces. Also, in present invention, at least one rod/ or notch disposed on the up edge of the side walls to hold a pot. Gardner disclose " This container has in the upper part a border (2) on which plate (3) rests. Plate (3) has a central opening capable of containing the vessel (4) which is inserted in the central opening up to the rest of its peripheral border which has a diameter (5) greater than the opening." (lines 25 to 31, column 2). Gardner claim " vessel being supported within said container," (lines 9 to 10, column 6). In Gardner's invention, a pot hold by a plate(3), the plate supported by the upper part a border(2). Gardner disclose"..... the upper part a border(2) on which plate(3) rests." (line 26-27, column 2). Clearly, in Gardner's invention: 1, A pot does not direct supported by the side walls of the tray; 2, No open spaces appeared on the tray, so that it is impossible to add water to the tray, and to let air flowing in and out of

the tray; 3, no rod/ or notch disposed on the up edge of the side walls to hold a pot.

Obviously, the present invention is completely different with the Gardner's invention.

Claim 27 in present invention is directed to a self watering tray for a regular pot, the tray having side walls and a bottom wall, and a leg, the leg having two sections, up section and low section, the up section is smaller than the low section, a shoulder between the up section and low section supporting a plant pot. Nicht's disclose"a cageinserted through an aperture in the bottom of the pot,Beneath the point(22, 24)at which the cage is connected to a support(40) for cage and pot, is a cage extension(16) which is immersed in the water in a receptacle."(in abstract). and " the connecting point between cage and support engages an aperture(38) in the support, and includes a locking flange(24)"(in DETAILS). **In present invention, no such locking flange disposed between the up section and the low section of the leg, and no such extension appeared.** Clearly, Nicht's self watering apparatus for a pot is completely different with the present invention.

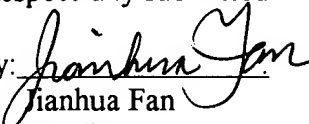
In view of the above, the claim 1 is patentable over Brankovic's invention; Claim 25 is patentable over Gardner's invention; Claim 27 is patentable over Nicht's invention; Other claims are dependent claims, all patentable.

therefore, Applicant respectfully submits that claims 1, 23-25, 27-29, 32, 40, 44-46 patentably distinguishes over the cited references.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

5800 Maudina Ave.
Apt. C-2
Nashville, TN 37209
Phone/fax 615.356.3211

Respectfully submitted

By: 
Jianhua Fan
Applicant
date: Nov. 6, 2001